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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thilo Weitzel

Group No. 2733

Serial No.: 09/232,119

Dated: January 15, 1999

Filed: January 15, 1999

Docket: 298-73

For: A DEVICE TO DETECT OR GENERATE OPTICAL SIGNALS

Assistant Commissioner for Patents
Washington, DC 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. A copy of the listed item is enclosed.

The citation of the listed item is not a representation that it constitutes a complete or exhaustive listing of the relevant art or that the reference is prior art. The item listed is submitted in good faith, but is not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of this particular item, it will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 14, 1999


George M. Kaplan

The listed item, DE 3820 170, is of no relevance according to our above identified application.

The basic principle of DE 3820 170 is the reverse of a fourier-transform spectrometer. A fourier-transform-spectrometer uses a defined variation of the wavelength of the light to determine the optical pathlength. The optical setup of DE 3820 170 matches a fourier transform spectrometer extended with a wavelength selective tunable detector or alternatively a wavelength tunable light source. In contrast, the inventive device, to detect or generate optical signals, has fixed optical pathlengths (except phase modulation). The detector is not wavelength selective, but the interferometer is extended with dispersive elements, which introduce a wavelength dependent distribution of the interference signal.

Accordingly, DE 3820 170 claims an interferometer setup specified by

- wavelength selective detection of the light and
- variability of the optical pathlengths

both of which are contradictory to the above-identified application for a device to detect or generate optical signals. The above identified application for a device to detect or generate optical signals claims an interferometric setup with

- fixed optical pathlengths (except phase modulation) and

-dispersive elements within the arms of the interferometer,
both of which are incompatible with the working principle of DE 3820 170.

Accordingly, the requirement for a concise explanation of relevance of the non-English reference under M.P.E.P. § 609 has been satisfied.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).


- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a complete first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
 - ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
 - ☐ Please charge the \$130.00 petition fee to Deposit Account No. **04-1121**.
- ☐ Enclosed by check is the \$240.00 fee required by 37 C.F.R. § 1.17(p).

- ☐ Please charge the \$240.00 fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. 04-1121.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. **TWO (2)**

COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,


George M. Kaplan
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Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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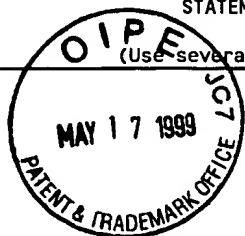
298-73

SERIAL NO.

09/232,119

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)



APPLICANT

Thilo Weitzel

FILING DATE

1/15/99

GROUP

Art Unit 2733

U.S. PATENT DOCUMENT

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
3 8 2 0 1 7 0	12/89	FEDERAL REPUBLIC OF GERMANY				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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MAY 20 1999

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.